IN THE

Supreme Court of the United States

October Term, 1965
No. 680

CHARLOTTE ANDREWS,

Petitioner and Appellant,

vs.

THE CITY OF SAN BERNARDINO, a Municipal Corporation, THE REDEVELOPMENT AGENCY OF THE CITY OF SAN BERNARDINO, a State Agency,

Respondents and Appellees.

Reply Brief in Opposition to Respondents' Brief.

Mindful of the tremendous task which confronts the United States Supreme Court in the selection of those meritorious petitions upon which to consider certiorari, the Petitioners in the case at bar have found it necessary to, with constraint, nevertheless file a closing statement to the brief of Respondents in Opposition to the Petition for Writ of Certiorari.

Respondents' "Brief" refers to no case or single citation of authority on the Federal level, and has failed and omitted to mention any United States Supreme Court decision whatsoever in opposition to the federally justiciable issues sought here for review.

Respondents' "Brief" rests upon the completely false major premise that no questions of Federal Law can be involved because State law and State precedures afforded an adequate State basis to violate the privileges and immunities and take away the property, civil and personal rights of the Petitioner, contrary to the United States Constitution.

It is regrettable that Respondents have urged non-review because State Courts have failed and omitted to consider the United States constitutional questions which have been raised herein by Petitioner on the full record in a timely fashion, instead of urging non-review on the merits.

It is unfortunate that Respondents have taken the license by the use of semantics to "dare" state in their "Brief" that the Supreme Court of the United States has already decided the contentions here raised "adversely" to the Petitioners in Case No. 137, October Term, 1960, Respondent's Appendix "A". This statement in itself impeaches other statements made by the use of semantics in Respondents' "Brief" to induce opposition to petition for Writ of Certiorari in the case at bar.

Conclusion.

Respondents have gone outside the record in their "Brief" under the title of "Conclusion", page 12 thereof, to argue that the Redevelopment Project of the City of San Bernardino is today overwhelmingly successful. To the contrary, the Redevelopment Project is today a dismal failure. No tax allocation bonds have ever been sold

the project. The Redevelopment Agency has been borrowing money for operating capital, paying off the loans with proceeds from the sale of cleared land. If the matter was again proposed to a vote of the electors for the abolishment of the Agency at this time, it is safe to say that the electors would again vote against the Agency and its Projects.

Respectfully submitted,

MANUEL RUIZ,
Counsel for Petitioner.

END